

Remarks

Claims 1-13 were pending in the application and were rejected. By this paper, claims 1 and 5 have been amended, and reconsideration of the claims is respectfully requested. Furthermore, new claims 14-16 have been added.

Double Patenting Rejection

Claims 1-13 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-51 of U.S. Patent No. 6,488,203. Without agreeing with the rejection, Applicants will consider filing a Terminal Disclaimer upon an indication of otherwise allowable subject matter.

Rejection Under 35 U.S.C. § 103

Claims 1-13 were rejected under § 103(a) as being unpatentable over U.S. Patent No. 5,963,647 (the '647 patent) in view of U.S. Patent No. 6,771,766 (the '766 patent).

Without agreeing with the rejection, claim 1 has been amended to recite "receiving at an initiating terminal a designation of an amount of funds to be electronically transferred from an account of the sender" and "debiting from the sender's account an amount corresponding to the designation of an amount of funds." Furthermore, claim 1 has been amended to recite that the step of "receiving the unique personal identification number and the security code at the manned kiosk from the recipient" occurs "after the debiting step."

Regarding claim 5, that claim has been amended to recite that the central terminal is "operative to debit the sender's account an amount corresponding to the designation of an amount of funds." Furthermore, claim 5 has been amended to recite that "after the central terminal has debited the sender's account, the manned kiosk is operative to dispense funds corresponding to the designation of an amount of funds directly to the recipient when the

unique personal identification number and the security code provided by the recipient match the stored unique personal identification number and the stored security code.”

By contrast, the ‘647 patent teaches that “the sender’s account is not debited until the cash is actually received by the recipient.” (See the Abstract of the ‘647 patent.) Still further, the ‘647 patent states that “it is a feature of the invention that settlement does not take place until the funds are actually withdrawn by the recipient,” and, therefore, “the source account is debited via electronic funds transfer (EFT) only once funds have been received by the recipient.” (The ‘674 patent, column 7, lines 53-57.) Thus, the ‘647 patent does not disclose the combination of features recited in either claim 1 or claim 5. Nor does the ‘766 patent cure the deficiencies of the ‘647 patent. Therefore, it is respectfully requested that the § 103(a) rejection of claims 1-13 be withdrawn.

New Claims

New claims 14-16 have been added for consideration by the Examiner.

Regarding claim 14, that claim recites:

- receiving at an initiating terminal a designation of an amount of funds to be electronically transferred from the sender;
- receiving at the initiating terminal a security code from the sender;
- generating a unique personal identification number;
- providing the unique personal identification number to the sender;
- storing the designation of an amount of funds, the security code and the unique personal identification number at a central terminal in communication with the initiating terminal;
- receiving from the sender funds corresponding to the designation of an amount of funds;
- providing a manned kiosk including a kiosk agent;
- receiving the unique personal identification number and the security code at the manned kiosk from the recipient after the step of receiving funds from the sender;
- communicating the unique personal identification number and the security code provided by the recipient to the central terminal;

comparing the unique personal identification number and the security code provided by the recipient to the stored unique personal identification number and stored security code at the central terminal; and

dispensing funds corresponding to the designation of an amount of funds at the manned kiosk by the kiosk agent if the unique personal identification number and the security code provided by the recipient match the stored unique personal identification number and the stored security code;

wherein the method is carried out without debiting an account of the sender.


Because the above combination of features is not disclosed in the cited references, taken alone or in combination, claim 14 is believed to be allowable. Furthermore, because claims 15 and 16 depend from claim 14, those claims are also believed to be allowable.

Conclusion

Applicants have made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,
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